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United States District Court

for

the District of Nevada

**PETITION FOR WARRANT
FOR OFFENDER UNDER SUPERVISION**

Name of Offender: MARK STEVEN WAGMAN

Case Number: 2:00CR00348-PMP-LRL

Name of Sentencing Judicial Officer: Honorable Philip M. Pro

Date of Original Sentence: August 20, 2001

Original Offense: Manufacturing a Controlled Substance

Original Sentence: 121 months custody, 3 years supervised release

Date Supervision Commenced: August 13, 2009

PETITIONING THE COURT

☒ To issue a warrant

☐ To issue a summons

The probation officer believes the offender has violated the following condition(s) of supervision:

1. **You shall not possess, have under your control, or have access to any firearm, explosive device, or other dangerous weapons, as defined by federal, state, or local law.**

On October 22, 2010, a search was conducted at Mr. Wagman's residence. During the search, officers located a crossbow with two arrows, an eight inch hunting knife, two electronic stun devices, and two BB guns. Mr. Wagman had access to all of the weapons in his home.

2. **The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter.**

On October 22, 2010, Mr. Wagman tested positive for methamphetamine. He admitted to using the controlled substance on October 20, 2010.

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Rev. Mar. 2007

RE: MARK STEVEN WAGMAN

3. **The defendant shall not commit another federal state or local crime.**

On October 22, 2010, Mr. Wagman committed the offense of Felon in Possession of an electronic device, in violation of Nevada Revised Statute 202.357, a category B felony, punishable by a minimum term of not less than 1 year in prison.

4. **The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.**

During a search of Mr. Wagman's residence, three glass smoking pipes with controlled substance residue were located.

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Rev. Mar. 2007

RE: MARK STEVEN WAGMAN

U. S. Probation Officer Recommendation:

The term of supervision should be:

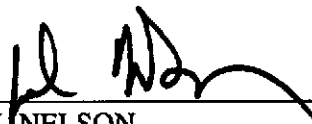
☒ Revoked

☐ Extended for _____ months, for a total term of _____ months

☐ The conditions of supervision should be modified as follows:

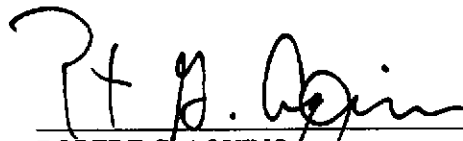
I declare under penalty of perjury that the information
contained herein is true and correct.

Executed on October 22, 2010.



JOEL NELSON
United States Probation Officer

APPROVED:



ROBERT G. AQUINO
Supervising United States Probation Officer


THE COURT ORDERS:

☐ No action

☒ The issuance of a warrant

☐ The issuance of a summons

☐ Other



Signature of Judicial Officer
October 22, 2010

Date

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Rev. Mar. 2007

**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
UNITED STATES V. MARK STEVEN WAGMAN, 2:00CR00348-PMP-LRL**

**SUMMARY IN SUPPORT OF PETITION FOR WARRANT
October 22, 2010**

On October 14, 2010, the probation office received information from the Federal Bureau of Investigation that Mr. Wagman was using drugs and that he was believed to be in possession of various weapons. On October 22, 2010, Mr. Wagman reported to the office and submitted to a drug test. The test yielded a positive result for methamphetamine. Mr. Wagman admitted to using methamphetamine on October 20, 2010. In response to the positive drug test and possibility of weapons, the probation office searched Mr. Wagman's residence. During the search, officers found and seized two BB guns, a crossbow with two arrows, two electronic stun devices, an eight inch hunting knife, and three glass smoking pipes. All items were located in places Mr. Wagman had access to. Possession of an electronic stun device by a convicted felony is a violation of Nevada Revised Statute 202.357, a category B Felony punishable by a minimum of not less than 1 year in state prison. Upon completion of the search, Mr. Wagman was arrested on probable cause for a supervised release violation. He is currently at the North Las Vegas Detention Center awaiting his Court appearance.

It is evident that Mr. Wagman is unable to abide by his conditions of supervision. Due to his violent criminal history and drug use, he is considered a risk to himself and the community. As such, it is recommended that a warrant be issued for his arrest and he remain in custody until the final disposition of the matter.

Respectfully submitted,



JOEL NELSON
United States Probation Officer

APPROVED:



ROBERT G. AQUINO
Supervising United States Probation Officer